

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DANIEL PENA RAMIREZ,

Case No. 11-CV-2931 (PJS/AJB)

Plaintiff,

v.

ORDER

UNITED STATES OF AMERICA,

Defendant.

Daniel Pena Ramirez, pro se.

Lonnie F. Bryan, UNITED STATES ATTORNEY'S OFFICE, for defendant.

Plaintiff Daniel Ramirez brings this action alleging medical malpractice under the Federal Tort Claims Act ("FTCA"), 28 U.S.C. § 2671 et seq., and seeking an injunction requiring medical treatment. This matter is before the Court on Ramirez's objection to the February 4, 2013 Report and Recommendation ("R&R") of Chief Magistrate Judge Arthur J. Boylan. Judge Boylan recommends granting the government's motion to dismiss or for summary judgment. The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Based on that review, the Court adopts the R&R and grants the government's motion.

ORDER

Based on the foregoing, and on all of the files and records herein, the Court OVERRULES plaintiff's objection [ECF No. 52] and ADOPTS the R&R [ECF No. 50]. IT IS HEREBY ORDERED THAT:

1. The government's motion to dismiss or for summary judgment [ECF No. 25] is GRANTED.
2. This action is DISMISSED WITH PREJUDICE AND ON THE MERITS.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 21, 2013

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge